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United Nations Development Programme

GENDER EQUALITY AND WOMEN'S EMPOWERMENT IN PUBLIC ADMINISTRATION

# UGANDA CASE STUDY







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# KEY FACTS

## KEY FACTS

<b>HUMAN DEVELOPMENT INDEX RANKING</b>	161 out of 187 countries in 2011. <sup>1</sup>
<b>GENDER INEQUALITY INDEX</b>	116 out of 146 countries in 2011. <sup>2</sup>
<b>TRANSPARENCY INTERNATIONAL RANKING</b>	143 out of 183 countries in 2011. <sup>3</sup>
<b>% OF WOMEN IN PUBLIC SERVICE</b>	33 percent women in the Public Service in 2011. <sup>4</sup>
<b>AFFIRMATIVE ACTION</b>	<ul style="list-style-type: none"> <li>✓ Gender equality provided for in the national Constitution, the Local Government Act (LGA) and other laws.</li> <li>✓ Affirmative action policy in education and in political representation.</li> <li>✓ Women’s quotas in Parliament and Local Councils.</li> </ul>
<b>NEED TO KNOW</b>	<ul style="list-style-type: none"> <li>✓ Reasonably good policy framework for gender equality including gender mainstreaming guidelines for the Public Service (MPS, 2011).</li> <li>✓ The country is transitioning from a <i>de facto</i> one party state to a multi-party system.</li> </ul>

1 Human Development Report 2011, UNDP [http://hdr.undp.org/en/media/HDR\\_2011\\_EN\\_Table1.pdf](http://hdr.undp.org/en/media/HDR_2011_EN_Table1.pdf).  
2 Human Development Report 2011, UNDP [http://hdr.undp.org/en/media/HDR\\_2011\\_EN\\_Table4.pdf](http://hdr.undp.org/en/media/HDR_2011_EN_Table4.pdf).  
3 Corruption Perceptions Index 2011, Transparency International <http://www.transparency.org/cpi2011/results>.  
4 (ROU, 2011).



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## EXECUTIVE SUMMARY

This case study examines gender equality in public administration in Uganda and focuses on equal participation of women as staff, including at decision-making levels. This is a relatively new area of focus in Uganda, and the Ministry of Public Service (MPS) Gender Mainstreaming Guidelines in human resource management for the Public Service (2011) constitute a welcome step forward. As well as offering practical guidelines for recruitment and human resources issues, the guidelines highlight the importance of women's equal participation in the public administration as an important democratic institution and in support of national development goals.

After a long period of having a *de jure* one-party political system, Uganda is currently in transition to multi-party politics. While this transition and the proliferation of media houses as well as the relative expansion of civil society organizations (CSOs) have broadened space for freedom, political space is still restricted. Uganda's Public Service constitutes people employed in the central as well as the local governments. Remuneration in most public positions is low and staff retention is problematic. Uganda is also perceived as one of the most corrupt countries in the world according to Transparency International.<sup>5</sup>

Comprehensive research on gender equality in the public administration and sex-disaggregated data to track progress is limited. Despite this, information shows that, in Uganda's Public Service, women constitute only 33 percent, with the majority at the lowest levels (ROU, 2011). Women make up only 22 percent of senior management Public Service positions and 16 percent of middle management positions (ROU, 2011).

Barriers include the following:

- **Absence of specific targets for women's participation.** Special measures are provided for in the Constitution. However, there are no targets or compulsory quotas for women's minimum participation in the Public Service, such as the minimum 30 percent set out in the Beijing Platform for Action (BPFA). Affirmative action policy in politics has substantially increased the number of women to 35 percent in parliament and to a minimum of one third in all local governments in Uganda.<sup>6</sup>
- **Women in the Public Service find it difficult to balance career and domestic responsibilities.** This means that women are disadvantaged because of their care responsibility and 'double burden' and the absence of flexible working arrangements and similar mechanisms.
- **Recruitment, appointment, promotion and allowances in the Public Service are based on merit and gender-neutral criteria.** This at first sight may appear positive but an underlying lack of awareness of the different implications of policies on women and men, and assumptions of men being the breadwinners mean that women are inadvertently disadvantaged compared to men.
- **Sexual harassment is a concern.** This needs to be tackled as much through sensitization as through policy.

<sup>5</sup> See Corruption Perceptions Index of Transparency International: <http://www.transparency.org/cpi2011/results>.

<sup>6</sup> IPU (2011); ROU (1997).



- **The national gender machinery has limited capacity and resources.** The Ministry of Gender, Labour and Social Development (MGLSD) has an enormous task in its mandate. Gender focal points in government institutions need support and their terms of reference do not systematically include the internal staffing dimension. International agencies are proposing various interventions, but the focus on gender equality in the public administration needs strengthening.
- **Women's unequal access to education.** University and tertiary education is male-dominated, particularly in science and technology courses. However, women's enrolment at university level has substantially increased to almost 50 percent in some universities following the introduction of an affirmative action policy in 1989/1990.<sup>7</sup>

It is positive that the 2011 MPS Gender Mainstreaming Guidelines pay attention to barriers in women's access to the public administration and decision making. They focus on key issues such as recruitment, promotions, training and development, postings and transfers, gender-inclusive language, working environment, workplace harassment and terms and conditions of service.<sup>8</sup>

This case study ends with the following recommendations:

- Set clear indicators and provide for temporary special measures in public administration.
- Support implementation of gender equality mainstreaming guidelines for the public sector in recruitment, retention and promotion.
- Build the capacity of talented women and sensitize decision makers.
- Address persistent gender stereotypes.
- Strengthen measures to allow women and men to balance professional and working life.
- Support the development of sex-disaggregated statistics in public administration to understand and track patterns and trends.
- Support gender-responsive budget initiatives in central and local government institutions to promote an implementation focus.
- UNDP and international agencies should actively address equal representation in public administration in all programmes.
- Ensure long term pipeline of women by paying attention to women's participation in higher education including in non-traditional subject areas.

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7 Makerere University (2009).

8 Gender Mainstreaming Guidelines, ROU (2011).



## METHODOLOGY

A literature review was the main method of data collection. This review included legal and policy documents to understand the overarching framework within which gender equality in public administration is and could be implemented. An annotated bibliography and a list of people consulted are provided in the Annexes.

Time was a constraint. It was not possible to consult people at the subnational level and many CSOs. Similarly, other agencies such as the International Labour Organization (ILO), which are working on relevant issues, were also not reached in the timeframe. Nevertheless, the process yielded results that provide a clear picture of achievements and gaps. Whilst there is ample literature on gender equality in politics in Uganda, information on gender balanced representation in public administration is significantly lacking, implying a need for more efforts in this area so that policy can be driven by evidence.

According to the UNDP, public administration refers to:

‘the aggregate machinery (policies, rules, procedures, systems, organizational structures, personnel, etc.) funded by the state budget and in charge of the management and direction of the affairs of the executive government, and its interaction with other stakeholders in the state, society and external environment’; and (2) ‘the management and implementation of the whole set of government activities dealing with the implementation of laws, regulations and decisions of the government and the management related to the provision of public services.’<sup>9</sup>

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9 UNDP Public Administration Practice Note (2004), pp1-2.



## CONTEXT

### POLITICAL AND SOCIO-ECONOMIC CONTEXT

Uganda was a British protectorate that obtained its independence on 9 October 1962. After a period of turbulence, military takeovers and extreme dictatorship associated with a near complete collapse of the economy, the National Resistance Movement (NRM) under Yoweri Kaguta Museveni took over in 1986 and has stayed in power since then. While civil war continued in northern Uganda for over two decades, most of the country has enjoyed relative peace and security over the last quarter of a century.<sup>10</sup> This has resulted in unequal development between the regions of the country, which has currently thrown up some political questions.<sup>11</sup> For instance, the concentration of development in the south affects the other parts of the country and is simultaneously reflected in the inequitable regional representation in Public Service jobs, raising questions about inclusiveness.

In 1995, the country enacted a new Constitution that was significant in that the supreme law made far-reaching gender provisions that have also been replicated in other laws, such as the Local Government Act (LGA) of 1997. Since then, periodic presidential, parliamentary and local government elections have been held every five years with women's participation in this area guaranteed by the law through quotas. After many years of political freeze under the political system where people contested in elections to public offices as individuals, political parties were eventually set free in a referendum held in 2000.<sup>12</sup>

While there are accusations of political interference in the media and judicial processes, Uganda has a proliferation of media houses that have broadened the discussion space. Whilst a law to regulate the activities of civil society has been proposed, in relative terms, there has been a growth in CSOs over the years with more freedom to operate than in the 1970s.<sup>13</sup> While the electoral processes seem to be improving, growing commercialization of politics and accusations of malpractices continue to raise concerns. Moreover, even when the military has played a key role in the restoration of peace in Uganda, its role in the politics of the country is suspect. The police force, which has had two army officers as its heads, has attracted criticisms of militarization and is often accused of brutally suppressing voices of dissent at the slightest provocation.<sup>14</sup> These kinds of institutions may not guarantee true democracy and a smooth political transition. Furthermore, Uganda is the only country in East Africa without presidential term limits, this having been controversially removed from the constitution. It is also a country where assumption of political power at the presidential level has frequently been through force of arms since independence in 1962.

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10 Uganda Overview, World Bank <http://www.worldbank.org/en/country/uganda/overview>.

11 Uganda's Political Economy: A Synthesis of Major Thought, ODI (2004).

12 Republic of Uganda Public Administration Country Profile, UNDESA (2004).

13 For instance, feeling insecure in his position, President Amin destroyed potential sources of opposition including women's organizations which he banned in 1973, which forced many women's organisations to become dormant or work underground in this period (Tamale, 1997; Tripp, 2002).

14 For example, see Oloka-Onyango (2011).



Another key issue has been the participation of public administrators or civil servants in political activity. The Constitution provides for resignation from public office of those who wish to contest for political office.<sup>15</sup> While this would seemingly guarantee non-partisanship, the political leaders often fill public offices with political cadres that hamper true non-partisanship in public administration. For instance, all resident district commissioners (RDCs), which is a senior civil service position, have to subscribe to one political party, the ruling NRM. Many NRM women and men that have previously served in important political positions (e.g. Member of Parliament), have often been appointed to this position.

## PUBLIC ADMINISTRATION CONTEXT

Following a decentralization policy adopted in 1997, Uganda's Public Service (the state machinery paid for by the government) can be grouped into two major groups, namely, those at the central government level and then at the local government level.<sup>16</sup> The Public Service is also divided into many subgroups. These include the 'traditional civil service' recruited by the Public Service Commission, teachers appointed by the Education Service Commission, health workers recruited by the Health Service Commission and workers in semi-autonomous entities recruited by boards of these respective entities such as the Uganda Revenue Authority, the Uganda Electoral Commission and public universities, among others. The 1995 Constitution outlines the recruitment and management of public servants (Chapter 10) and assigns the President the power of appointing all persons above the level of head of department into the Public Service. Thus, apart from appointing the executive, which includes cabinet ministers, the head of state appoints all those with a position of responsibility in public administration.

Remuneration in most public positions is relatively low and the distribution of allowances and non-monetary benefits is inequitable in the sense that, while most people are poorly paid, a few people are in well-paying public jobs with various amenities including motor vehicles, housing, and medical facilities, among others. Another challenge relates to staff retention, as people leave Public Service jobs for better pay in the private sector or in international engagements.

The Transparency International Corruption Perception Index places Uganda amongst the most corrupt countries in the world, and the Public Service is perceived as the third most corrupt institution in the country.<sup>17</sup>

## GENDER EQUALITY CONTEXT

The majority of adults in Uganda have attended formal school (ROU, 2010d). However, many do not complete primary school. Retention in primary school is lower for females at 42 percent as compared to males at 53 percent. More boy children transition from primary to secondary school than girls. Similarly, there are more men who are able to read and write than women. Urban areas also exhibit higher literacy rates than rural areas – a situation that has persisted over time.<sup>18</sup>

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15 Constitution of the Republic of Uganda 1995, ROU (1995).Chapter 6, section 80.

16 Local Government Act (1997).

17 Daily lives and corruption: public opinion in East Africa, Transparency International (2012), p. 47.

18 For example see: ROU (2010d); ROU (2010e); Kikampikaho and Kwesiga (2002).



University and tertiary education enrolment is still male-dominated, particularly in science and technology, though the situation has improved following the introduction of an affirmative action policy in favour of women in the early 1990s.<sup>19</sup> For instance, Makerere University, the largest university (whose motto at its founding in 1922 was “in all things let us be men”<sup>20</sup>), has adopted affirmative action policies from the 1989/90 academic year. These policies have raised women student’s enrolment from an average of about 25 percent at the start of the policy to about half of the entire student population in 10 years (Makerere University, 2009). In its January 2010 graduation, the university presented graduates where women outnumbered for the first time (Mugagga, 2010).

The increase in female admissions was an outcome of an affirmative action policy. Admissions have exhibited sensitivity to gender imbalance and a desire to address disparities in access that exist throughout the education system. This policy is also important as it supports a pool of educated women to enter the Public Service and other professions. As the Public Service is expected to be merit-based, equal access to higher education is an important long-term requirement.

On health, while Uganda has registered tremendous progress on the national AIDS response, HIV prevalence is higher for women than for men. According to the 2006 Uganda Demographic and Health Survey (UDHS), the total fertility rate is high, at 6.7 births per woman. The Uganda Bureau of Statistics (UBOS) Statistical Abstract 2011 indicates the following: deliveries in health facilities decreased from 34 percent in 2009 to 33 percent in 2010; defilement, which is illegal sex with underage girls, was the most serious crime in 2010, accounting for over 46.7 percent of all crimes in 2010; maternal mortality, though still high, fell from 505 in 2002 to 435 per 100,000 live births in 2005/2006; the proportion of births attended by skilled health workers was about 41 percent and the unmet family planning need was 40.6 percent in 2005/2006; and child bearing for most women in Uganda starts early. The UDHS found that, overall, 25 percent of teenagers had begun having children and that, by the age of 19, nearly sixty percent of women had begun to have children. This implies that the childcare role for women comes early and may affect their progress in the public administration, in turn implying that programmatic interventions aimed at strengthening family planning services and advocating for flexible working conditions could be necessary.

With 35 percent of members of parliament being women, the Inter-Parliamentary Union (IPU) ranked Uganda at number 16 worldwide on the proportion of women in national legislatures – ahead of many developing and developed countries – as of 31 October 2011 (IPU, 2011). A provision in the LGA (1997) has ensured that one third of all local government councillors are women.<sup>21</sup> With the transition to a multiparty system, more political opportunity has been provided in general and specifically for women. Some of the major political parties provide for 40 percent inclusion of women in party structures.<sup>22</sup>

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19 The policy was an addition of 1.5 points for all females qualified to enter public universities in Uganda, a measure that has substantially raised women’s enrolment at University level (for example see: Kagoda, 2011; Muhwezi, 2003).

20 Sicherman (2005:226).

21 Local Governments Act, 1997, Part III.

22 For instance, the constitution of the Forum for Democratic Change (FDC) states that it will implement affirmative action in at least 40 percent of its structures (Article 8, section 1).



Joint capacity-building for women in political parties, in local governments, for members of parliament and women in the public administration could expand capacity across a broad spectrum and strengthen women's leadership in the public administration.

While Uganda has made tremendous progress in the area of gender equality, there are challenges in many areas. Despite the enactment of the Domestic Violence Act (2010), gender-based violence perpetuated against women and girls is still rife estimated at over 60 percent by various studies.<sup>23</sup> Such violence appears to be socially accepted and accompanied by a culture of impunity. Maternal mortality is still amongst the highest in the region and the division of labour in the household still burdens women rather than men. This also applies to women employed in the Public Service, who have to combine public and private roles.<sup>24</sup>

At the household level, progress in the transformation of unequal gender roles has been relatively slow, due to persistent patriarchal attitudes and deep-rooted negative attitudes regarding the roles, responsibilities and identities of men and women in all spheres of life.

Widowhood profoundly affects the status of women and undermines their security. For older women, discrimination and being subject to the practices of property-grabbing compounds their poverty and gender discrimination. Older women with disability suffer greater discrimination, poverty, stigma and isolation, gender-based violence and face obstacles in accessing justice. They also suffer discrimination in access to employment and health care.<sup>25</sup>

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23 For example Madanda et al. (2009); UBOS and Macro International Inc. (2007); Kaye et al. (2005).

24 This observation is based on key informant interviews which indicated that many women are burdened by both public responsibilities and domestic chores.

25 For further details see: HAI, URAA, ACFODE and FHRI (2010); ROU (2009).



## WOMEN'S PARTICIPATION IN PUBLIC ADMINISTRATION AND ITS DECISION-MAKING SPACES

This section looks at the profile of women's participation in the public administration including at the decision-making level.

### CURRENT STATUS

An analysis of staff levels as shown in Table 1 below indicates that in Uganda's Public Service, men constitute 67 percent and women only 33 percent. The Uganda Gender Policy (UGP) of 2007 also states that women constitute 17.4 percent, of permanent secretaries, heads of department and divisions in the civil service whereas men account for 82.6 percent. The gender composition at the various levels in the Public Service as of March 2011 is as shown in the Table1 below:

**Table 1: Size of Public Service by sex and sector**

SALARY SCALE	TOTAL EMPLOYEES	% OF MEN	% OF WOMEN
Senior Management (U1)	808	78	22
Middle Management (U2-U3)	4,180	84	16
Graduate and Diploma Entry Level (U4-U5)	59,973	72	28
Lower Level (U6-U8)	206,893	65	35
<b>Total</b>	<b>271,854</b>	<b>67</b>	<b>33</b>

Source: MPS Payroll Monitoring Unit as Extracted from Circular No 2 of 2011.

The table shows that women are more represented at lower levels. The internationally recommended minimum of 30 percent (see later section on policy and implementation in this case study) is yet to be achieved at the top levels and indeed in all but the bottom entry level. There is also a drop-off in middle management of women's participation, which could indicate that there are issues of work-life imbalance that make it necessary for women to step out of work.

In local government, chief administrative officers (CAOs) and municipality town clerks (MTCs) are key positions. Since there are fewer CAOs to fill all the 111 district positions, many CAOs serve in an acting capacity but are substantively appointed as deputy chief administrative officers (DCAOs). Ministry of Local Government (MOLG) Data for 2011 and 2012 show that women constitute only 8 percent of the CAOs and 13 percent of the DCAOs, a proportion that is far below the national average in the entire Public Service. At municipality town clerk level, the percentage of women decreased from 34 percent to 9 percent, thereby lowering overall proportion of women in local government positions from 15 percent in 2011 to 9 percent in 2012. The top positions in local governments, as in central government and in education, are therefore dominated by men. Table 2 below illustrates this position.



# WOMEN'S PARTICIPATION IN PUBLIC ADMINISTRATION AND ITS DECISION-MAKING SPACES

Table 2: CAOs, DCAOs and MTCs in 111 Ugandan Districts

YEAR	2011				2012			
	Male	Female	Total	Female %	Male	Female	Total	Female %
CAOs	65	6	71	8	65	6	71	8
DCAOs	49	7	56	13	49	7	56	13
MTCs	21	11	32	34	21	1	22	5
<b>Total</b>	<b>135</b>	<b>24</b>	<b>159</b>	<b>15</b>	<b>135</b>	<b>14</b>	<b>149</b>	<b>9</b>

Source: MOLG records February 2012.

## TRENDS AND PATTERNS IN PARTICIPATION

A lack of data over the years makes it hard to gauge whether the situation has been improving or getting worse. However, from Table 1 and Table 2 above, it is clear that the proportion of women in Uganda's Public Service is low. This does not match the representation of women in Uganda, where females are more than half of the country's population.<sup>26</sup>

Given that the proportion of women is relatively lower than that of men even in junior positions, Uganda's public administration at all levels is likely to remain male-dominated for a long time unless special temporary measures are put in place to attain gender equality. Indeed, as noted by the MPS, with the exception of the medical field (where women dominate nursing and other support positions) and the heavily feminized secretarial occupation, all other jobs are male-dominated (ROU, 2011).

An interesting point in Table 1 is that there are proportionately more women in top management than in the middle management. Research needs to be done to explain this and a work-life imbalance during the years when women are caring for young children is suggested as one reason. Other possible explanations are that there are some direct appointments of outstanding women in senior positions as RDCs or to head particular public agencies without following the 'normal' Public Service promotion system.<sup>27</sup>

Recent gains in women's higher education, where many have recently graduated from universities and other tertiary institutions following affirmative action, could help to establish a high quality pool of qualified women at entry level. These women could then be supported to enter and progress through the public administration. It is therefore important to understand why the increased numbers of women graduates are not yet translating into Public Service recruits.

The direct appointment of women by the President provides opportunity for capable women to be placed in positions they might not otherwise reach if they followed the usual Public Service system that

26 Uganda Country Profile: Human Development Indicators <http://hdrstats.undp.org/en/countries/profiles/UGA.html>.

27 'Normal' means a system, where staff apply for positions and are promoted based on a formal assessment - a process some key informant interviews discredited as embedded with gender biases limit possibilities for women, among other factors.



rewards merit with promotion. However, and as noted from interviews, the practice is criticised because it is only women who 'catch' the President's eye who are appointed, excluding many qualified women. This method of appointing senior staff may also discriminate against women and men who have divergent political affiliations other than those of the ruling party. A systematic presidential panel for identifying women and men appointees across the various sectors would be a possible mechanism to build on and improve than the current *ad hoc* system. In addition, mechanisms to promote women's visibility and yet ensure transparent criteria are important – these exist for senior positions in New Zealand, for example. This kind of special measure for women is especially important as women tend to have less access than men to networks and are often less visible than men in their work.

Uganda's Public Service has both occupational segregation, where particular sectors or types of work such as nursing, secretarial and clerical jobs are female-dominated, as well as hierarchical segregation, where men dominate the top positions and women the lower ones (ROU, 2011). As such, Uganda's public administration is structured along gender lines, where men dominate certain jobs and sectors and women are concentrated in sectors that require lesser skills and are care-related, such as secretarial or nursing. As noted in one of the interviews by a key informant and with respect to the gender composition of Uganda's public administration, "[M]en constitute the heads of Uganda's public administration while women are its hands."

Although it is important to ensure that there are sufficient numbers of qualified women entering the public service, attention also needs to be paid to ensuring that able women can progress to senior positions. Even in professions that are apparently feminized such as education, a pyramid with men in the top positions, still exists. Table 3 below illustrates the location of women in Uganda's supposedly feminized teaching profession.

**Table 3: Teachers, Lecturers and Instructors by level**

LEVEL	TEACHERS/ LECTURERS/ INSTRUCTORS		
	WOMEN	MEN	WOMEN %
University and Colleges (full-time)	397	1,341	23
Tertiary Level (excluding university)	1,990	4,779	29
Secondary (only government)	6,554	19,416	25
Primary (government)	50,134	76,314	40
Primary (private)	20,390	25,565	44
Pre-Primary	16,500	3,344	83
<b>Total</b>	<b>95,965</b>	<b>130,759</b>	<b>42</b>

Source: Uganda Education Statistical Abstract, 2010.



# WOMEN'S PARTICIPATION IN PUBLIC ADMINISTRATION AND ITS DECISION-MAKING SPACES

From Table 3, it is clear that the assumption of women dominating the teaching professional is erroneous except for at pre-primary level, where they constituted 83 percent in 2010. Women's representation falls further at the university level. It is notable that there were proportionately more women in privately owned primary schools than in government supported ones in 2010. In addition, most heads of educational institutions are male. For instance, out of the five public universities, only one is headed by a woman - the first woman vice chancellor in a public university since 1922, when the oldest public university was established.<sup>28</sup> There is a similar pattern in privately owned universities where only one is headed by a woman vice chancellor.<sup>29</sup>

As summarized by the 2011 MPS Gender Mainstreaming Guidelines, the main gender issues in the public administration are related to:

- Recruitment
- Selection and promotions
- Training and development
- Postings and transfers
- Gender-inclusive language
- Working environment
- Workplace harassment (respectful workplace), and
- Terms and conditions of service.<sup>30</sup>

To summarize, Uganda's public administration has yet to achieve the recommended minimum critical mass of 30 percent women in decision making in the public administration as recommended in a number of international instruments (see section on policy below), and the situation is even worse at subnational level. Lack of data makes it difficult to assess trends, but both horizontal and vertical segregation is evident.

The next section reviews policy developments and practice relating to equal participation in the public administration, including in leadership.

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28 Busitema University of Science and Technology headed by Prof. Mary Okwakol.

29 Kabale University headed by Prof. Joy C. Kwesiga.

30 ROU (2011).



## POLICY AND IMPLEMENTATION REVIEW

This section reviews key policies and legislation that impact on gender equality in the public administration in Uganda and seeks to identify achievements as well as gaps and challenges. The national Constitution and development plans are reviewed first, followed by gender-related policy and finally the public administration and work-life legislation is examined. Relatively less is known about gender initiatives relating to the public administration compared with politics, for example. In general, the policy environment is supportive of gender equality in public administration, though the practice is diverse and not properly streamlined.

### Affirmative action or special measures

The 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) sets out that governments should adopt temporary special measures to correct persistent imbalances in women's access to public life and other areas. CEDAW also has a particular focus on not only eliminating discrimination in laws and policies, but also putting in place measures to ensure that women are able to enjoy equality in practice despite often weaker starting positions.<sup>31</sup>

Affirmative action has been used by various governments and agencies all over the world to counteract historical discrimination faced by ethnic minorities, women and other underrepresented groups. To foster diversity and compensate for historical exclusion of such groups, affirmative action programmes prioritize the inclusion of minorities in areas such as employment, education and government. In Uganda, affirmative action has been applied largely in politics in favour of groups that have hitherto been marginalized – women, youth, people with disabilities and workers – as well as in education to ensure gender equity.

Affirmative action policy in Uganda can be traced to the NRM bush war of 1980-1985, where women were represented in its governing structures.<sup>32</sup> The institutionalization of the policy in Uganda's public arena started in the mid-1980s and extended to the 1990s with the establishment of a Ministry for Women in Development (MWD), the provision of reserved seats for women in parliament and local governments, and the provision of additional points for women students to join educational institutions (especially the university). Since then, the country has made significant progress in integrating women into the country's development and decision-making process. For instance, each district in Uganda has a woman member of parliament, a measure that has put the percentage of women in parliament at over 35 percent, placing Uganda in sixteenth position globally in this respect.<sup>33</sup>

### National constitution and development plan

The 1995 Constitution of the Republic of Uganda is gender-inclusive and creates a strong legal basis for addressing gender issues by explicitly prescribing equality between women and men under the law as well as the right to equal opportunity. Article 32 (1), which deals with affirmative action, states that,

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31 See an explanation of special measures and temporary special measures here: <http://www.unhcr.org/ref-world/docid/453882a7e0.html>.

32 Ahikire (1994); Byanyima (1992).

33 IPU (2011).



'[T]he state shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history, tradition, or custom for the purpose of redressing imbalances which exist against them.'<sup>34</sup>

Article 33 (2) also enjoins the state to provide facilities and opportunities for enhancing the welfare of women and to enable them realize their full potential and to protect their rights taking into account their unique status and natural maternal functions in society.

The 1995 Constitution provides that 'the State shall ensure gender balance and fair representation of marginalised groups on all constitutional and other bodies.'<sup>35</sup> While this provision does not refer explicitly to public administration, it could be assumed that the principle refers to public bodies. Unfortunately, there is no definition of gender balance such as 50:50 or minimum representation of each sex at 40 percent. In effect, the implementation of gender balance in public administration has not been followed despite the constitutional pledge. It is important that a more operational guideline is developed on what is meant by gender balance to support its implementation

The Uganda National Development Plan (NDP) emphasizes that gender issues, negative attitudes, mind-set, cultural practices and perceptions are critical constraints in achieving set objectives.<sup>36</sup> The broad NDP strategy to deal with this constraint is to require the sectors to take requisite action to promote gender equality in all spheres (ROU, 2010b).

## Gender policy and plans

### *Alignment with international frameworks*

The national gender policy and legal framework is aligned with key international and regional commitments to which Uganda is party. These include CEDAW and the BPFA, among others. Through periodic reporting, reviews and reflection as well as the role of especially women's organizations, government has aligned a range of its policies and actions to these international commitments, although some gaps remain.

These commitments have been associated with national legislative progress, including enactment of the Employment Act of 2006 with gender specific provisions, the Land Act Amendment of 2004, the enactment of the Equal Opportunities Act 2007 and the enactment of the Domestic Violence Act 2010, which criminalizes violence in the domestic setting. The Government of Uganda has also, in line with the commitments, adopted various policies to promote gender equality and eliminate discrimination against women. Examples include the National Action Plan on Gender for monitoring the implementation of CEDAW for the period 2007 to 2010 and the UGP 2007.

These international commitments have impacted on national and local processes in Uganda, driven by government and CSOs. Gaps persist, such as the absence of comprehensive information on incidences of sexual harassment experienced by women in the public administration. There is also an absence of substantial commitments in gender-responsive budgeting to support gender equality programmes from public resources.

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34 Constitution of the Republic of Uganda 1995, ROU (1995).

35 Section VI on gender balance and fair representation of marginalised groups, Constitution of the Republic of Uganda 1995, ROU (1995).

36 ROU (2010b).



The 2007 UGP sees affirmative action as a temporary commitment with preferential measures for redressing inequalities or imbalances in accessing resources, power or opportunities.<sup>37</sup> The UGP 2007 provides a broad framework for incorporating a gender perspective in all sectors and mechanisms to be taken into account in order to address gender equality concerns in government programmes, processes and systems.

The UGP offers a guide to all ministries, departments and agencies on key priorities of action to address gender concerns. The aim of the Policy is to guide all levels of planning, resource allocation and implementation of development programmes from a gender perspective. It is a requirement that sector ministries carry out gender and equity analysis of the various policies and programmes that they undertake.

Indicators of the UGP include one for tracking the 'proportion of women in decision-making by sector and level' (UGP, 2007, Section 7.1) and this could reasonably be interpreted to mean the upper levels of the central and local public administration. It could also provide an entry point for establishing a process of developing guidelines for defining gender balance in the public administration, including a programme for monitoring and tracking progress. The UGP does not explicitly address factors that impact on gender equality in public administration such as sexual harassment, family-friendly workplace and childcare issues. Some of these issues are tackled in the Public Service Code of Conduct (2005) and the Employment Act (2006).

### *Gender equality in education*

In 1991, the Government of Uganda instituted a policy where girls entering university were given an extra 1.5 points to address the persistent gap in enrolment of women in higher institutions (Musisi and Muwanga, 2003). This measure resulted in a surge in women's enrolment so that, in some university courses, women are now in the majority. A revision of the policy has a provision to the effect that any disadvantaged gender should have a minimum enrolment. In Busitema University, which specialises in engineering courses, this is between 27 percent and 30 percent. Makerere University is proposing a 40 percent to 60 percent range across all courses.<sup>38</sup>

This is important for two reasons. First, this measure will help over the long term to ensure a cohort of qualified women for public administration, as well as for other fields (and having good employment prospects could similarly stimulate enrolment). Second, such a measure could be considered in the Public Service, although it would need to be backed up by extra measures, such as reforming the recruitment process and fast-tracking women in promotions and training, in order to attract and equip talented women as well as sensitizing employers to benefits of employing women.

A recent paper assessing the impact of affirmative action in education policy notes that the success in education has not yet translated into women's equal participation in university leadership.<sup>39</sup> Various

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37 ROU (2007b).

38 This information was volunteered by the Gender Focal Person at Busitema University and staff from the Directorate Gender at Makerere University respectively, 2011.

39 Assessing the Effectiveness of Affirmative Action on Women's Leadership and Participation in Education Sector in Uganda, Alice Merab Kagoda, Makerere University, for International Institute For Educational Planning, UNESCO (2011).



factors are suggested, including women's lack of self-esteem. It is possible and likely that the same societal factors and underlying gender stereotypes are also limiting women's potential in the public administration.

Affirmative action policy that has been implemented in politics and education sectors has not been extended into the broader employment sector so that after graduation, women have to face the competitive world of work where male privilege is still largely the norm. Even in fields where there are qualified women and their numbers have been rising, such as social work and law, this is not yet reflected in women's participation in the Public Service. Besides, even if official statistics can be difficult to access, a cursory observation shows that, even in feminized sectors such as education, the pyramid that places women at the bottom of the ladder persists.<sup>40</sup> Therefore, although affirmative action boosts the number of women to attain education, the only place where their seats are guaranteed is in politics. In the world of work, they have to compete on an equal basis with men and compete for the available jobs where, as observed from the structure of the public service, women still dominate stereotyped jobs of personal assistants, receptionists or tea persons (ROU, 2011).

## Public administration policy and regulations

The Government of Uganda has relevant initiatives under the Public Service Reform Programme (PSRP). Achieving gender equality in the Public Service is seen as an integral part of the reform process (ROU, 2011) and is a strategic priority. As noted from interviews, there is currently more concern with gender equality in the delivery of public services to end-users than with the gender equality within the structure that delivers the service.

To support this high-level strategic priority, the MPS has developed Guidelines for Gender Mainstreaming in Human Resource Management.<sup>41</sup> The MPS (ROU, 2011) indicates that the principles adopted for gender mainstreaming are in compliance with a number of national and international policies and commitments namely:

- The UGP (2007)
- The East African Community (EAC) Treaty (2000)
- The Common Market for Eastern and Southern Africa (COMESA) Gender Policy (2002)
- The Protocol on the Rights of Women in Africa (2003)
- The Intergovernmental Authority on Development (IGAD) Gender Policy and Strategy (2004)
- The African Union Heads of State Solemn Declaration on Gender Equality (2004)
- CEDAW (1979)
- BPFA (1995) and subsequent reviews and recommendations
- The UN Millennium Declaration and Development Goals (agreed in 2000).

It is worth noting the various African regional policies that impact on these Gender Mainstreaming Guidelines. This indicates that initiatives at the international and regional levels can and do encourage the establishment of national policy. In this case, it has influenced public administration policy in

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<sup>40</sup> For example see Table 3 in this report.

<sup>41</sup> With financial assistance from UNDP.



addition to gender policy.

In line with the national Constitution, the MPS guidelines are based on the principle of affirmative action or 'special measures'. This is partly because government ministries, departments, agencies and local governments are not addressing gender issues in human resource management despite the requirements in the UGP, which requires that ministries should develop guidelines and specific gender commitments.<sup>42</sup> The Ministry of Finance, Planning and Economic Development (MFPED) also requires that government agencies address gender and equity issues in their budgets (FOWODE, 2010b).

The MPS Gender Mainstreaming Guidelines provide for structures and processes that have to be put in place within the existing organizational framework to guide the planning, monitoring and evaluation of the processes of gender mainstreaming into key areas of human resource management. The guidelines complement and reinforce existing tools and guidelines for gender mainstreaming in the Public Service. These include among others:

- Gender and Equity Budgeting Guidelines issued by MFPED
- Guidelines for Auditing Gender Mainstreaming in Local Governments issued by the MGLSD and the Local Government Gender Assessment and Planning Guidelines issued by the MOLG.

### *Subnational government*

The UGP also envisages the MOLG will ensure gender is integrated into local government development plans, monitor gender mainstreaming in local governments and to ensure sex-disaggregated data is collected.

In the MOLG's revised Annual Local Government Performance Assessment Indicators (2011), a specific indicator to track the status of women is being proposed - the proportion of women and men in top management in Local Government institutions. This could be a key entry point to track women's participation and presence in local government top management positions.

A users guide to the UGP also provides useful advice on how it applies to local governments and on concrete steps that could be taken.<sup>43</sup> The guide includes a section on gender equality in governance and refers to the importance of women in leadership. The guide is applicable to civil service positions and appointed posts as well as elected ones.

### *Recruitment and promotion*

The decentralization policy in Uganda meant that local governments or districts recruited all their employees through their respective district service commissions. However, recruitment, deployment and transfer of CAOs were subsequently re-centralized and are currently managed centrally.

Recruitment and appointment into the Public Service follow particular guidelines as laid out in chapter 10 of the 1995 Constitution. No gender-specific provisions are made regarding recruitment of people in the public, health service or the education services.

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42 ROU (2007b); ROU (2011).

43 <http://www.ceewauganda.org/ceewa/USER'S%20GUIDE%20TO%20THE%20UGP%20FINAL%20DOC%202011.pdf>



The Public Service training policy (2006) provides for equity and affirmative action in training, but it neither provides gender-specific indicators nor defines these aspects in relation to gender equality in the public administration. Similarly, promotion is based on performance evaluation and merit. However, recruitment, evaluation and promotions can be said to be 'gender-blind' in the sense that they do not take into consideration gender roles and responsibilities of women and men.<sup>44</sup>

The Second National Integrity Survey (2003) asked respondents in the Public Service to what extent gender was a factor in the recruitment and promotion in their own organization. The results are given below.<sup>45</sup>

### Box 1: Gender, recruitment and promotions as perceived in Uganda's public service

**Recruitment:** in the public sector, 48 percent of informants reported that gender influences recruitment in their organizations, while 46 percent said it does not. 8 percent did not know.

**Promotions:** In public sector, 62 percent of the respondents reported that there is no difference between women and men of the same qualifications when it comes to promotions, whereas 23 percent claimed that women are more likely to be promoted than men. This is apparently because the government policy of gender balance gives them preferential consideration. It should be noted that the fact that the large majority of those interviewed were male may have influenced perceptions towards a larger proportion considering that women have an advantage both in recruitment and promotion.

Adapted from Republic of Uganda Public Administration Country Profile, UNDESA (2004).

Interestingly, the interviews and review of documents do not support many of the assertions as presented in Box 1. If women are more likely to be promoted or be hired, why is it that they are not present in today's Public Service structures? It is also important to note that there is no gender balance policy in the public administration, although the Gender Mainstreaming Guidelines are now in place. Therefore, it is clear that, despite a relatively supportive top-level policy framework, there is a need to review and update public sector regulations with respect to recruitment, retention and promotion of women in Uganda's public administration. This needs to be supported by sensitization about provisions and key issues so as to dispel myths and misunderstandings.

In the absence of a strong gender focus in the recruitment, training, performance appraisal among other factors, the decision-making levels in public administration are dominated by men. Unlike in politics, where there are affirmative actions for women in parliament and Local Government Councils, there are no such indicators for women's participation in the relevant policy documents.

44 The point of gender blindness in the recruitment process was repeatedly emphasized in interviews with a range of people consulted, who noted that competent women are disadvantaged in the process. Though not documented, sexual harassment was also noted by many.

45 Inspector General of Government (2003) Final Report: Second National Integrity Survey, Uganda. Inspector General of Government (2003) Final Report: Second National Integrity Survey, Uganda.



The Staff Performance Appraisal Form used in the Public Service for evaluating competence does not capture the contribution of staff to gender equality in the public administration.<sup>46</sup> The Performance Contracts for Permanent Secretaries (PS), who are top public servants in ministries, do provide that they should promote gender-awareness or address HIV/AIDS, health or environmental protection in the workplace.<sup>47</sup> However, along with other cross-cutting issues, it is not clear how far this is the case in practice. But if gender were to be a compulsory aspect of performance evaluation by the PS together with related indicators, this would be an important entry point.

### *Remuneration and benefits*

The Employment Act (2006) promotes equality of opportunity by providing for elimination of discrimination and equal pay for equal work. In the Public Service, remuneration between women and men is based on equal pay for equal work value.<sup>48</sup> A cross-section of women interviewed in civil society, academia and Public Service for this case study stated that women employed in the Public Service did not always want to put in extra effort to build the performance competencies necessary for promotion. One of the women stated:

**“Many of us women employed in the Public Service marry men who earn better. If my husband is providing everything for me, I do not need to stress myself in the name of promotion. After all, how much more do I earn when I get a promotion?”<sup>49</sup>**

This comment points to a number of potential problems. Firstly, this applies only to women supported by their husbands and not to single or widowed women. Secondly, the *de facto* existence of a gender pay gap in favour of men should be explored. Despite legislation, studies in other countries reveal pay gaps in the public sector. Allowances should also be reviewed, such as travel and housing allowances. This is because they can inadvertently lead to unequal financial benefits if their basis is the assumption that the male is the breadwinner, and that all families have such a male breadwinner.

Clearly, not all women or all men have the desire or ability to become decision makers. Nevertheless, national governments have an obligation to ensure that all those with the desire and capability have equal access to career progress and senior positions, and are not discriminated against in terms of pay and benefits – even unintentionally.

### *Maternity benefits and sexual harassment*

The Uganda Public Service Standing Orders (2010) and Employment Act (2006) provide for maternity leave with full payment of 60 working days (having been increased from 45 working days previously) and for four days of paternity leave in a year (which did not exist before). The provisions in the public sector are therefore not more generous than those in the Employment Act, as is the case in some contexts. The Public Service Standing Orders define sexual harassment as follows:

46 Available at: <http://www.publicservice.go.ug/public/Staff%20Performance%20Appraisal%20Form.pdf>.

47 ROU (2010a); available at: [http://www.publicservice.go.ug/index.php?option=com\\_content&view=article&id=65&Itemid=55](http://www.publicservice.go.ug/index.php?option=com_content&view=article&id=65&Itemid=55).

48 ROU (2011).

49 Interviews for case study, 2011.



'conduct of a sexual nature that affect the dignity of women and men, which is unwelcome, irritating, unreasonable and offensive to the recipient. Such a conduct may be explicit, verbal or non-verbal or implicit and creates an intimidating, hostile or humiliating working environment for the recipient.'<sup>50</sup>

The Standing Orders go on to make clear provisions including for dealing with sexual harassment including redress mechanisms:

- A Public officer shall avoid unethical and unbecoming behaviour such as use of rude, abusive and obscene language, indecent dressing, hard supervision and sexual suggestive gestures which constitute sexual harassment and hence a violation of human rights.
- A Public officer shall not subject others or be subjected to conduct of a sexual nature affecting his or her dignity, which is unwelcome, unreasonable and offensive to the recipient.
- A sexually suggestive and offensive behaviour may manifest itself in such forms: (a) An employee being forced to choose between acceding to sexual demands or losing job benefits (sexual blackmail). (b) Verbal and non-verbal sexually offensive behaviour exhibited by colleagues (or even customers).
- A Public officer who is subjected to sexual harassment overtures shall report such a case with the adduced evidence, where applicable, to the department of Government that is responsible for investigating civil and criminal offences with a view to obtaining redress.
- A Public officer who has lodged any complaint regarding sexual harassment using the established complaints procedure shall not be unduly victimised.
- Remedies for sexual harassment shall be those prescribed under the civil or criminal laws.<sup>51</sup>

It may now be necessary that these good provisions are promoted so that everyone knows their rights and obligations.

### *Policy oversight and data*

Various agencies are mandated to perform an oversight role in the area of gender equality generally. The UGP stresses that the monitoring and evaluation of the policy shall be aligned and integrated within the national monitoring and evaluation strategy under the office of the prime minister.

Data collection and reporting are to be carried out through periodic surveys and sector management information systems – some of these have been set up such as in education, health and the public service. These all perform at different levels of efficacy. Government also enacted the Equal Opportunity Commission (EOC) Act of 2007, which promotes the elimination of inequality on the basis of sex as well as promotes affirmative action policy.

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50 Uganda Public Service Standing Orders (2010g), p103.

51 Uganda Public Service Standing Orders (2010g), p106.



Parliament has also established a Committee of Equal Opportunities ‘mandated to monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all peoples, including marginalized groups on the basis of gender, age (elderly, youth, children) disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them.’<sup>52</sup><sup>53</sup> Women are well represented on the Committee.

Another potential entry point is the establishment of a Human Rights Committee, which could consider infringements of the principal voluntary international human rights instrument for gender equality and women’s empowerment.<sup>54</sup>

To summarize, at policy level, Uganda has many gender-sensitive provisions in the national Constitution and key legislations and policies, such as those relating to local government, employment and education. For elected representation, affirmative action provisions have significantly increased the presence of elected women in both local councils and in the national parliament.

However, with regard to gender equality in the public administration, Uganda has yet to explicitly extend the provisions for affirmative action from the legislature to the executive, the judiciary and to the entire public administration, as is the case in the newly established Republic of South Sudan. The country is also yet to implement a rigorous affirmative action follow-up mechanism as in the Republic of Namibia, where fines are imposed against offending institutions, whether they are in the public or private sector. Extension of affirmative action provisions could be backed up by minimum representation targets in the public administration, against which progress can be tracked.

The MPS Gender Mainstreaming Guidelines of 2011 are a key advance in terms of making the public administration policy less gender-blind, and it will be important to support and follow the progress and uptake in specific ministries and local administrations.

The underrepresentation of women at top levels in the public administration needs to be addressed by legal and policy provisions, including a range of affirmative actions and temporary special measures such as targets and quotas. A mandatory legal requirement may be needed to back up the public sector mainstreaming guidelines if the guidelines are not taken up to improve the gender balance. However, from interviews with some people in ministries, a reform in the law is seen as a remote possibility. Rather, the expressed view is that while affirmative actions can guarantee the entry of women into the public service, their performance is what leads to their promotion.<sup>55</sup>

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52 <http://www.parliament.go.ug/mpdata/members.hei?committeeno=44&name=Committee+on+Equal+Opportunities>.

53 Parliament of Uganda (2011).

54 [http://www.parliament.go.ug/index.php?option=com\\_content&task=view&id=982&Itemid=65](http://www.parliament.go.ug/index.php?option=com_content&task=view&id=982&Itemid=65)

55 Nevertheless, the influence of politics on especially senior appointed positions has also been identified as a barrier for women and men. This influence tends to impact more negatively on women, as they historically lack the social capital and financial resources associated with political advancement. They also have less time due to traditional care responsibilities and traditional perceptions that women are not leaders.



Interviews with key officials in the selected ministries show that they do not envisage a provision for affirmative action in the public administration beyond politics. This is the case despite the fact that newly issued MPS Guidelines advocate for such measures, as well as the national constitution and the EOC Act.

A detailed gender analysis of Public Service regulations, especially for recruitment, promotions, pay and allowances, training and evaluation, could help to ensure that these do not inadvertently impact negatively against women (in other words, to ensure they are not gender-blind). Their compliance with the spirit of the Constitution, UGP and the Equal Opportunities Act, as well as with international norms such as CEDAW and the BPFA, should be noted and gaps identified.



## SPECIFIC INITIATIVES

This section looks at concrete initiatives to address gender equality in the public administration, as well as those impacting on the issue indirectly.

### Gender Mainstreaming and capacity-building

Gender Mainstreaming Guidelines have been launched in 2011 as mentioned above. These are a useful reference for ministries and local governments and give examples of concrete actions that can be taken at the institutional level. It will be important to track whether these guidelines are implemented and also their impact on women's representation in the public administration as a whole and in specific agencies.

Capacity-building interventions proposed by MPS for gender mainstreaming in Public Service include:

- Formulating and implementing capacity-building programmes for women and men senior managers to improve knowledge, skills and attitudes in gender analysis, and gender mainstreaming.
- Gender-responsive research.
- Gender-responsive budgeting.
- Production and use of gender-disaggregated data (ROU, 2011).

This training is envisaged to build the capacity of women and men in the Public Service to design and deliver gender-responsive policies and programmes. The target audience is all public officers, especially those in strategic and operational positions. This is useful in creating awareness of gender issues and it addresses the public's needs, but there remains a need to focus internally. For example, there is a need to identify and develop talented potential senior women. Sensitization of recruiting managers and human resources staff would also support a broad dissemination of the Gender Mainstreaming Guidelines.

### Civil society initiatives

Scattered initiatives appear to have been present from the late 1980s especially from civil society, supported by international agencies such as UNDP and UNIFEM (now UN Women). There are few documented efforts until now that address issues impacting on gender equality in the public administration.

One example is the Forum for Women in Democracy (FOWODE) gender-responsive budget analyses that commenced in 1988 and was later adopted by MFPED. This initiative currently requires that government agencies indicate in their budgets how gender and equity issues are addressed.<sup>56</sup> Some of the analysis has included looking at budget allocation to public administration against service delivery and making suggestions on how reallocations could support gender equality. Whilst there is not much evidence yet to point to significant changes in budget allocations, analysing budgets could be a key entry point in identifying resources for financing initiatives aiming at improved gender balance in public sector staffing in Uganda.

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<sup>56</sup> Madanda (2006); FOWODE (2010a); FOWODE (2010b).



## SPECIFIC INITIATIVES

Interviews also indicated that women's organizations such as the Uganda Women's Network (UWONET) have recognized the importance of issues of gender equality beyond the political arena. In their training and programming, they have targeted women in decision-making positions in the Public Service as well as in the police and education sectors as key partners. According to some key informants, the early work of one of the pioneering women's organizations in Uganda, Action for Development (ACFODE), involved lobbying for women in key public administration positions in the late 1980s and early 1990s with some success. However, this was not systematically carried through to recent times. Interestingly, research agencies have been focussing more in politics and less in public administration broadly, pointing to knowledge gaps that need to be filled.

### National gender machinery

Currently, the unit responsible for gender in the ministry is the Department of Gender and Women Affairs, created in 2008 in the Directorate of Gender and Community Development. It is severely under-resourced in human and financial terms. Often, gender focal points in the government units are not substantively appointed to the task and they take it as an additional role, sometimes not remunerated or considered in job evaluations. There is therefore a need to address the issue of the 'machinery' that delivers gender outcomes. Suggestions from interviews include forming a network of technical people across ministries at the level of commissioners or higher to be in charge of gender so that there is sufficient attention generated at the higher policy-making levels. The internal issue of gender balance and the relevant sections of the Gender Mainstreaming Guidelines should be explicitly stated in their terms of reference.

### International agencies

Despite the fact that particular focus on gender equality in the public administration is limited, major actors are and have been international agencies.

The Uganda UN Joint Programme on Gender Equality has some activities related to gender equality in the public administration. One of the envisaged outcomes of the 2010-2014 five-year programme is:

**'policies, systems, strategies developed for citizens' active participation in decision making and accountability processes that impact advancement of gender equality.'**<sup>57</sup>

The UNDP envisages conducting gender audits for eight ministries and in 11 UN Agencies as well as in five local governments. These could include an internal focus as well as Public Service delivery focus and assess ministry and local government understanding of and capacity to deliver on the MPS Gender Mainstreaming Guidelines.

The UNCDF supports a Gender in Local Economic Development Course now being implemented by the Makerere University School of Women and Gender Studies (SWGS), which is considered the women's movement technical wing. The UNDP also works with the MGLSD on a process for monitoring and evaluating gender outcomes in Uganda's local government.

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<sup>57</sup> [http://www.ilo.org/gender/Projects/WCMS\\_140736/lang--en/index.htm](http://www.ilo.org/gender/Projects/WCMS_140736/lang--en/index.htm).



The UNCDF is also involved with a review of the MOLG performance assessment indicators, in which the proportion of women and men in the local government top positions will be captured.

Taken together, the above and other agencies involved in the UN Joint Country Programme including UNIFEM, UNFPA, OHCHR, UNHABITAT, ILO, FAO, WFP and WHO are looking at these major aspects:

1. The capacity for the national framework for gender mainstreaming, contributing to gender equality in the four UGP priority areas (improved livelihoods, promotion and protection of rights, participation in decision making and governance, and recognition and promotion of gender in macro-economic management).
2. Coordination and harmonization of support for gender-responsive programming including in CSOs.

These efforts promise important entry points and potentially contribute to increasing understanding of gender equality in the public administration and the institutional issues that need to be addressed in order to transform Uganda's public administration machinery. All of them could usefully include a component to address gender balance in the public administration as an enabling strategy. More work is, however, needed on the capacity-building front as well as a review and even possible formulation of new policies and legislations to provide for mandatory gender equality in the public administration.



# KEY ISSUES IN ACHIEVING EQUAL PARTICIPATION IN PUBLIC ADMINISTRATION DECISION MAKING

## KEY ISSUES IN ACHIEVING EQUAL PARTICIPATION IN PUBLIC ADMINISTRATION DECISION MAKING

This section summarizes key issues and specifically barriers and gaps in achieving equal participation in the public administration.

### **Absence of explicit policy and targets for women's participation**

Affirmative action policy is provided for in the Constitution but there are no targets or compulsory quotas for women's minimum participation in the Public Service, such as the minimum 30 percent set out in the BPFA.

### **Need to focus on gender balance within the public administration as well as service delivery**

While significant work on gender equality has been going on, interviews with government officials show that the focus has been on service delivery. The idea has been to address the aspects of the beneficial impact of government programmes, such as in agriculture, health or water and sanitation to the end-users. Limited effort has been paid to the machinery, namely, public administration structures and systems that deliver the services. The unit in the MGLSD that is directly responsible for gender programming, including monitoring other public units, has fewer than 10 members of staff and a severely constrained budget. As such, the MGLSD, which is the national gender machinery, needs strengthening to ensure a strong institutional mechanism to deliver gender equality in the public administration.

### **Recruitment, appointment, promotion and allowances in the Public Service are based on merit and gender-neutral criteria**

Key informant interviews indicated that recruitment and promotion do not favour women. Though unwritten, the practice does not encourage women to apply for jobs. Suggestions are that government job advertisements need to clearly state that the government is an equal opportunity employer and that women are encouraged to apply. It was also noted that there are biases in promotion. Young women are often not considered for promotion on the basis that they will soon marry and be preoccupied with reproduction. It was said that it is often older women who are considered for promotion.

An underlying lack of awareness of the different implications of policies on women and men and assumptions of men being the breadwinners means that women are inadvertently disadvantaged compared to men.

Women in the Public Service find it difficult to balance career and domestic responsibilities. This means that women are disadvantaged because of their care responsibilities and 'double burden' in the absence of flexible working arrangements and similar mechanisms.

Studies show that traditional gender relations in the domestic sphere have been more resilient than in the public domain. It is therefore important that attention be paid to changing the gender division of labour and to sharing domestic responsibilities in the home in order to address gender equality issues in the workplace. As described by one senior woman researcher interviewed for this assignment, this



will require a programme of life skills for women in public service, so that they can negotiate the difficult terrain both in the domestic and the public arena. Women in the public administration find it difficult to balance career and domestic responsibilities; yet, as shown from interviews and observation, there are no facilities for daycare and opportunities for flexible work schedules are limited.

### **Sexual harassment is a concern**

Policies that prohibit sexual harassment in Public Service exist. Public institutions like Makerere University have dismissed at least three professors on account of sexually harassing students and/or staff members. However, despite the policies and dismissals, sexual harassment still persists and key informant sources showed that it is particularly rampant against young female staff and especially interns. No convictions or dismissals are known in the broader Public Service. The Third National Integrity Survey report complains of administrative injustice, including sexual harassment during recruitment. A Focus Group Discussion (FGD) yielded the following:

*“There are incidences of sexual harassment on the side of ladies when they come to ask for jobs. They are frustrated by the male officers hoping that the ladies would yield to their hidden demands. In many cases the male officers directly ask for sex as a condition to pass the interview.”<sup>58</sup>*

FGD Jinja District, May 2008

The positive aspect of this worrying issue is that it has been captured and action can therefore be taken such as sensitization of relevant officials on the provisions of sexual harassment and complaints mechanisms.

### **The national gender machinery has limited capacity**

The MGLSD lacks the technical and financial resources to address the enormous task in its mandate. Gender focal points in government institutions need strengthening and their Terms of Reference do not systematically include the internal staffing dimension. International agencies are proposing some interventions, but their focus on gender equality in the public administration needs strengthening.

### **Women have unequal access to education**

University and tertiary education is male-dominated particularly in science and technology courses, though women’s enrolment in higher education has substantially increased to almost half of the entire population in some universities, following the introduction of an affirmative action policy in 1989/1990.<sup>59</sup>

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58 Third National Integrity Survey (2008).

59 Makerere University (2009).



## RECOMMENDATIONS

The recommendations below are aimed at strengthening gender equality in the public administration and filling gaps in existing policies and legislation, building on progress to date. These suggestions note the progress so far made and existing opportunities for sustainability. The recommendations also focus on short- to medium-term policy and implementation by institutions, but it is important to recognize that longer-term and sustainable change must also take into account entrenched traditional gender roles and cultural factors, which impact on the self-confidence of women themselves.

### 1. Set clear indicators and provide for temporary special measures in public administration

Specific targets or minimum representation levels could provide a useful benchmark and measurable indicator. Special measures provided for in local government councils and political representation should be extended to all sectors of the public administration, such as the appointment of the executive, the members of the judiciary, police and all Public Service positions. The executive and parliament should move to provide for the necessary legislation. Civil society could focus on raising awareness and pushing for this legislation and policy framework. International actors such as UNDP should organize or support forums such as regional conferences for sharing best practices in public administration to draw lessons from different countries.

### 2. Support implementation of gender equality mainstreaming guidelines for the public sector in recruitment, retention and promotion

The recruitment process, including advertising and interviewing, should encourage women to apply for public administration jobs. Staff training needs to ensure that women employees are trained and that gender biases in promotion on the basis of women's reproductive roles are eliminated. The MPS guidelines need to be widely publicized and the implications at the level of local government and ministries should be discussed. Monitoring measures could help promote implementation, and it may be necessary to consider requiring all government agencies to submit a gender mainstreaming plan that includes a focus on equal representation.

### 3. Build the capacity of talented women and sensitize decision makers

Mechanisms for opening up recruitment to middle management and senior positions through lateral entry should be considered. These could include 'fast-track initiatives' based on clear criteria and be supported by high-quality training. Existing women should not be overlooked and mechanisms for identifying and managing talent from within could be identified. International agencies could support these technically. There are many training institutions in Uganda that could be brought on board to support this initiative, including Makerere University and Uganda Management Institute, among others. Similarly, capacity development to build understanding of gender concepts and their implications could be targeted at men and women in positions of influence, in order to both sensitize them and to enlist their support towards gender equality in public administration.

### 4. Address persistent gender stereotypes

Women in middle and top management positions in public administration could be supported with skills to help them develop coping strategies against issues such as negative perceptions of women as leaders. Wider advocacy efforts beyond the public administration are also needed, involving the



media and prominent national role models in order to strengthen positive images of women in decision making. Efforts here could involve working with training institutions or taking advantage of existing gender mainstreaming efforts within the MPS. Several women's organizations with significant experience in training politicians could also be possibilities for the public administration. The MGLSD also has ample training experience that should be harnessed. Working with media and organizing events such as conferences could also help.

## 5. **Strengthen measures to allow women and men to balance professional and working life**

These include flexible working hours, daycare facilities including partnerships with good quality private providers, enforcing anti-sexual harassment policies and ensuring that recruitment, promotion and retention policies supporting gender equality are implemented in the public service.

## 6. **Support the development of sex-disaggregated statistics in public administration to understand and track patterns and trends**

The proposed UNDP gender audit efforts could be a good entry point in the short term. Working with UBOS and the planning units in the different ministries and local governments can provide the necessary data. In addition, there will be a need to support relevant research. All data and research should be made public in the spirit of public sector transparency and accountability, and to promote engagement by stakeholders in civil society, government and development agencies.

## 7. **Support gender-responsive budget initiatives in central and local government institutions to promote an implementation focus**

This will involve training officers in gender-responsive budgeting as well as developing a monitoring system to ensure compliance. Key actors here will include MFPED, parliament and Local Government Councils. Over time, all budgets that do not comply with gender provisions should be rejected. A long-term view on this is to support the training of economists in advanced gender analysis skills so that high-quality expertise is available for recruitment and deployment in the future.

## 8. **UNDP and international agencies should actively address equal representation in public administration in all programmes**

Public administration reforms as well as decentralization and local government initiatives offer important entry points, and UNDP and other international actors should consider setting minimum participation levels in project management bodies as well as directly addressing the underrepresentation of women in public administration at national and local levels. Public administration capacity building is important in a range of areas identified above, such as gender sensitization for decision makers, training and professional development opportunities for women, and support the improvement of national statistics for a solid evidence base and to track progress. Other entry points include sensitizing parliaments and political parties to the importance of equal participation in the public administration so that it is more of a priority on their political agendas.

## 9. **Ensure a long-term pipeline of women**

It is important to pay attention to women's participation in higher education including in non-traditional subject areas.



## CONCLUSIONS

In Uganda, the question of gender equality in the public administration is relatively new. The government's Gender Mainstreaming Guidelines are a step forward in raising awareness of the issue. The guidelines offer practical guidance on a range of human resources issues in order to make processes more gender-sensitive. This is in line with national commitments to improving gender equality as expressed in various policy instruments. However, there are no numerical and time-bound indicators as suggested in CEDAW for countries, that have not yet achieved the recommended minimum levels of participation in women's decision making (30 percent).

Uganda's experience with gender equality, especially in political participation shows that an appropriate legal framework, the role of civil society (especially women's organizations) and the support of the international community, backed up by the necessary political will are critical success factors. Adequate capacity and a strong national gender machinery sensitized to this issue, together with human and financial resources, are also central to success.

The absence of a strong focus on gender equality in public administration and the national machinery responsible for it partly explains the limited achievements in this area. There is a need to strengthen the national machinery and the capacity of other actors, just as it is important to focus on whether women and men or boys and girls benefit from national development programmes.

Often financial constraints are raised regarding gender programming alongside weak coordination mechanisms and lack of transparency. However change in this area has been slow, partly because government budgeting is rather rigid and most of those leading the process need support in strengthening their knowledge of gender concepts. Gains on this front have therefore been slow.

Affirmative action in education and politics has delivered some successes. Parity in primary schooling has almost been achieved and representation of women in university education is near parity except in science and technology courses. A similar provision in the Public Service could increase the presence of women in this area.

A lack of a systematic monitoring and evaluation mechanisms together with limited gender-focused studies on gender equality in the public administration means that evidence-based advocacy in this area is limited. Coordinated and intensified efforts in this area will provide the necessary information and momentum to strengthen reform processes already underway in the MPS.

Uganda needs to intensify efforts in policy and especially in implementation in order to achieve a minimum 30 percent of women in decision making in the public administration. It will be important to build on successes in education and politics in order to consolidate gains in the public administration, and there is still a clear need to build awareness of why equal representation in public administration is important in the first place.



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*Note: all websites were accessed in 2011 and 2012.*



## ANNEX 2: ABBREVIATIONS AND ACRONYMS

ACFODE	Action for Development
BPFA	Beijing Platform for Action
CAOs	[District] Chief Administrative Officers
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
COMESA	Common Market for Eastern and Southern Africa
CSOs	Civil Society Organizations
DCAOs	[District] Deputy Chief Administrative Officers
EAC	East African Community
EOC	Equal Opportunity Commission
FAO	Food and Agricultural Organization
FDC	Forum for Democratic Change
FGD	Focus Group Discussion
FOWODE	Forum for Women in Democracy
GEPA	Gender Equality in Public Administration
HURIPPEC	Human Rights and Peace Centre
IGAD	Intergovernmental Authority on Development
ILO	International Labour Organization
IPU	Inter-Parliamentary Union
LGA	Local Government Act
MFPED	Ministry of Finance, Planning and Economic Development
MGLSD	Ministry of Gender, Labour and Social Development
MOLG	Ministry of Local Government
MPS	Ministry of Public Service
MWD	Ministry for Women in Development
MTCs	Municipality Town Clerks
NDP	National Development Plan
NRM	National Resistance Movement
OHCHR	Office of the High Commissioner for Human Rights
PS	Permanent Secretaries



PSRP	Public Service Reform Programme
RDCs	Resident District Commissioners
ROU	Republic of Uganda
SWGS	School of Women and Gender Studies
UBOS	Uganda Bureau of Statistics
UDHS	Uganda Demographic and Health Survey
UGP	Uganda Gender Policy
UN	United Nations
UNCDF	United Nations Capital Development Fund
UNDESA	United Nations Department of Economic and Social Affairs
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNHABITAT	United Nations Human Settlements Programme
UNHR	United Nations Human Rights
UNIFEM	United Nations Women's Fund
UPC	Uganda People's Congress
URAA	Uganda Reach the Aged Association
UWONET	Uganda Women's Network
WFP	World Food Programme
WHO	World Health Organization



## ANNEX 3: LIST OF KEY INFORMANTS

DATE	NAME	DESIGNATION
6/11/2011	Ms. Rita Aciro	Executive Director, UWONET
22/11/2011	Mr. Mubarak Mabuya	Principal Gender Officer, MGLSD
22/11/2011	Dr. Florence Birungi Kyazze	Lecturer, Makerere University
23/11/2011	Ms. Margaret Kakande	Head, Budget Monitoring and Accountability Unit, MFPED
23/11/2011	Ms. Rita Kyeyune	Gender Focal Person (Outgoing), Ministry of Education and Sports
23/11/2011	Ms. Rosette Nyanzi	Policy Analyst, Ministry of Education and Sports
23/11/2011	Mr. Lebogang Motlana	Country Director, UNDP – Uganda
23/11/2011	Dr. Jenifer Bukokhe Wakhungu	National Programme officer, UN Capital Development Fund
24/11/2011	Ms. Jebbeh Foster	Country Programme Manager UN Women
24/11/2011	Dr. Josephine Ahikire	Executive Director, Centre for Basic Research
24/11/2011	Ms. Mary Arutu	Principal Personnel Officer, Ministry of Public Service
24/11/2011	Ms. Harriet Kyomugisha	Principal Personnel Officer, Ministry of Public Service
15/2/2012	Ms. Asumputa Tibamwenda	Ministry of Local Government
20/2/2012	Ms. Rashida Nakizito	Personnel Officer, Ministry of Local Government





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